

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

LAMORRIS RUSSELL,

Plaintiff,

v.

CO II Officer STAINLY WILLIAMS, *et al.*,

Defendants.

CIVIL ACTION NO.
5:21-cv-00040-TES-CHW

ORDER

Plaintiff LaMorris Russell, a prisoner in Baldwin State Prison in Hardwick, Georgia, mailed the United States District Court for the Northern District of Georgia a letter that was construed as a 42 U.S.C. § 1983 action. [Doc. 1]. The Northern District of Georgia transferred the action to this Court. [Doc. 6]. On February 3, 2021, the United States Magistrate Judge ordered Plaintiff to file a recast complaint using the Court's standard 42 U.S.C. § 1983 form and to either pay the filing fee or submit a motion to proceed *in forma pauperis*, including a certified copy of his trust fund account for the last six months. [Doc. 9]. Plaintiff did not respond to this Order [Doc. 9].

On March 19, 2021, the Court ordered Plaintiff to show cause why his case should not be dismissed for failure to comply with the Court's February 3, 2021 Order. [Doc. 11]. Plaintiff did not respond to the Order to Show Cause [Doc. 11].

Because Plaintiff has repeatedly failed to comply with previous orders and to prosecute his case, the Court **DISMISSES** his Complaint [Doc. 1] **without prejudice**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) (first citing Fed. R. Civ. P. 41(b) and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) (“The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.”).

SO ORDERED, this 6th day of May, 2021.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE

UNITED STATES DISTRICT COURT